Remarks:

Claims 1–20 are pending with claims 1, 13, and 20 being independent. In the Office Action ("OA") dated December 23, 2004, claim 3 was objected to as lacking an antecedent basis. Claims 1–7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mase, Japanese Patent Publication No. JP09005639A. Claims 1–10, 13–14, and 16–20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lemp, U.S. Patent No. 6,570,506. Claims 8–10, 13–14, and 16–20 were rejected to under 35 U.S.C. § 103(a) as being unpatentable over Mase in view of Lemp. Claims 11–12 and 15 were rejected to under 35 U.S.C. § 103(a) as being unpatentable over Lemp in view of DeLuca, U.S. Patent No. 4,870,402. Claims 11–12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mase in view of DeLuca. Finally, claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Mase in view of Lemp and DeLuca.

Regarding the objection to claim 3, claim 3 has been amended to replace the language "matching the object with" with "identifying." Therefore, amended claim 3 is fully supported by claim 1.

Turning now to the rejection of independent claim 1, claim 1 has been amended to recite a processor "operable to convert a text file to an audio signal representative of audible speech in a selected one of a plurality of languages," and a memory device "storing a database operable to contain information relating to the plurality of celestial bodies, including the text file, and accessible by the processor." The new language is supported in the specification at page 6, line 25 – page 7, line 11, among other places. The prior art references of record, considered singly or in combination, do not teach or suggest all the limitations of amended claim 1, including those quoted above.

First, it was asserted in the Office Action that "[e]lectronic systems wherein audible speech is produced in a remote control selected one of a plurality of languages are very well known." (OA, page 6). Applicant respectfully challenges this assertion. DeLuca was cited in support of this contention, for example, but the system of DeLuca does not disclose audible speech produced in a selected one of a plurality of languages. Rather, DeLuca discloses communicating *compressed textual messages*, and converting the compressed textual messages to one of a plurality of languages. (Col. 3, lines 10–24). DeLuca

summarizes, for example, that

> [i]t is [an] object of the present invention to provide a display for a communication receiver, such as a paging receiver, adapted to produce symbols for a data message comprised of a plurality of languages wherein the languages are either alphabetic languages such as English or the like or ideographic languages such as Japanese. (Col. 2, lines 37–43).

Therefore, DeLuca focuses on communicating *text* in one of a plurality of languages. While DeLuca discloses that standard voice paging is part of the system (*Id.*, col. 7, lines 45–48; Fig. 2), the system does not generate an audio signal in a selected one of a plurality of languages. For example, while the textual messages are converted to a selected language by a processor of the paging receiver (col. 3, lines 10–23), the voice pages are simply communicated directly to "an audio unit for generating an audio signal on [a] speaker," *not* to the processor for selection or translation (col. 7, lines 46–48). Furthermore, it is commonly known in the art that voice paging simply records a caller's message, stores the message, and replays the message to the recipient. There is no need for a computer to generate an audio signal in a selected one of a plurality of languages. Thus, the system disclosed in DeLuca is not capable of producing audible *speech* in a selected one of a plurality of languages at all, but rather is operable to convert compressed *textual messages* into a selected language. Therefore, DeLuca does not support the Examiner's broad assertion that "electronic systems wherein audible speech is produced in a remote control selected one of a plurality of languages are very well known."

Not only does DeLuca fail to support the Examiner's assertion, but DeLuca cannot be relied upon as a prior art reference because it is not analogous art. DeLuca relates to a paging system that involves a plurality of receivers in communication with a base station. The present invention, in contrast, relates to a *standalone telescope* operable to convey information about *celestial bodies* to a user. A paging system, therefore, certainly is not in the same field of endeavor as the application invention, nor is it reasonably pertinent to the problem of overcoming limitations in prior art telescope systems. A skilled artisan seeking to invent an improved telescope simply would not look to a paging system for guidance.

As mentioned above, the Examiner has failed to cite references that teach or

suggest all the limitations of amended claim 1. None of the references cited by the Examiner, for example, recite a processor operable to convert a text file to an audio signal representative of speech in a selected one of a plurality of languages. The Examiner concedes that Lemp does not disclose that "the audible speech is produced in a selected one of a plurality of languages," (OA, page 6), but asserts that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Lemp, III include the well-known remote control system of selecting one of a plurality of languages to enable more people to use the system" (*Id.*). Applicant respectfully disagrees. As explained above, DeLuca neither teaches this limitation nor is evidence that such is well-known in the art.

Furthermore, it would not have been obvious to one of ordinary skill in the art to modify Lemp to include a telescope with a processor operable to convert a text file to an audio signal representative of speech in a selected one of a plurality of languages. First, there is no suggestion or motivation, either in Lemp or in the knowledge generally available to one of ordinary skill in the art, to so modify Lemp. Lemp does not disclose selecting a language at all, as conceded in the Office Action.

Second, making the proposed modification is not a trivial matter nor an arbitrary design choice. It will be appreciated that the processor and the memory device are both contained within a telescope enclosure, and thus form part of a stand-alone telescope that does not rely on a connection to an external device or the Internet. Modifying Lemp to include a processor for converting a text file to an audio signal representative of audible speech in a selected one of a plurality of languages would at least entail reprogramming the system to perform the conversion and redesigning the system to include a memory device *within* the handheld housing (16) sufficiently large to contain all of the text files corresponding to the plurality of languages. Whether such a modification is even possible is questionable, and certainly is not obvious.

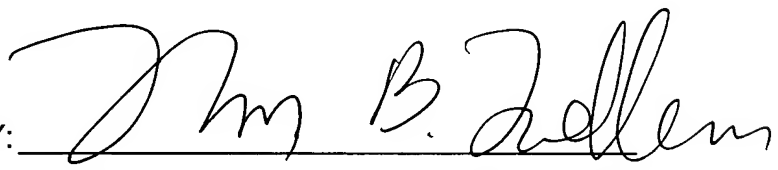
Claim 11 depends from claim 1 and has been amended to include limitations that further distinguish it from the prior art. Amended claim 11 recites that "the memory device is removable, and the language is selected by choosing a memory device with a text file corresponding to the desired language." The new language of claim 11 is supported in the

specification at page 8, lines 14–15, and further distinguishes the invention from the prior art.

Independent claims 13 and 20 have been amended to recite language similar to the new language of amended claim 1, and therefore are allowable for the reasons set forth above. The remaining claims depend directly or indirectly from claims 1, 13, and 20.

For at least the reasons set forth above, applicant respectfully submits that claims 1–20 are now in allowable condition and requests a Notice of Allowance. In the event of further questions, the Examiner is urged to call the undersigned. Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,
HOVEY WILLIAMS LLP

BY: 

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